

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 02/10/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOEL J. RATZKER,

Petitioner,

-v-

TRANSAMERICA FINANCIAL LIFE INSURANCE
COMPANY,

Respondent.
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22-cv-10913 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On January 30, 2023, the Court issued an order to show cause why this action should not be dismissed for lack of subject matter jurisdiction. Dkt. No. 12. Petitioner Joel J. Ratzker (“Petitioner”) responded on February 2, 2023 asserting that this Court has subject matter jurisdiction over the action under the federal diversity statute, 28 U.S.C. § 1332, because the amount in controversy exceeds \$75,000 and “the Petitioner is of different citizenship than” respondent Transamerica Financial Life Insurance Company (“Respondent”). Dkt. No. 17 at 1–2. In support of this contention, Petitioner correctly stated the standard for the citizenship of corporations and asserted that “Respondent’s principal place of business . . . is Iowa.” Dkt. No. 17 at 2–3. However, Petitioner did not identify the state of incorporation of Respondent.

Respondent is directed to inform the Court, on or before February 15, 2023, whether it is a citizen of the State of New York and to state its position on whether this Court has subject matter jurisdiction to decide this action. Petitioner will have until February 23, 2023 to submit a response, if any.

SO ORDERED.

Dated: February 10, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge